IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Crl.Rev.Pet.No. 441 of 2003()

CRA.213/2000 of ADDL. SESSIONS COURT, (ADHOC), PALAKKAD
CC.45/2000 of JUDL.MAGISTRATE OF FIRST CLASS COURT-III, PALAKKAD

REVN. PETITIONER: APPELLANT/ACCUSED

YATHEENDRANATHAN, S/O.KUMARAN,
SUGARCANE JUICE STALL, MALAMPUZHA,
PALGHAT.

BY ADV. SRI.T.M.SUNIL
SMT.S.CHITHRA

RESPONDENTS: RESPONDENTS/STATE AND COMPLAINANT

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1. STATE OF KERALA, BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. T.R.MURALIKUMAR, S/O.T.V.RAGHAVAN,
AKATHETHARA, PALGHAT.

BY PUBLIC PROSECUTOR SHRI C.K.SURESH R1

BY ADV. SRI.A.S.BRIJESH R2

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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CRL. R.P. NO. 441 OF 2003

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Dated this the 31st day of January, 2007

O R D E R

Heard. Criminal Revision Petition itself is heard and disposed of as agreed to by counsel on both sides.

2. Revision petitioner was found guilty of an offence punishable under Section 138 of the Negotiable Instruments Act in C.C. No.45 of 2000 on the file of the Judicial First Class Magistrate No.III, Palakkad. Conviction and sentence were confirmed by the learned Sessions Judge, Palakkad in Crl. Appeal No. 213 of 2000. Hence this Criminal Revision Petition.

3. It is submitted by counsel on both sides that matter has been settled out of court. Parties have filed Crl. M.A. No.1200 of 2007 for compounding the offence. Today I have allowed that application. Hence this Criminal Revision Petition is only to be allowed.

In the result, Criminal Revision Petition is allowed. Conviction and sentence imposed on the revision petitioner under Section 138 of the Negotiable Instruments Act are hereby set

aside. Revision Petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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CRL. R.P. NO.441 OF 2003

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O R D E R

31ST JANUARY, 2007